

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

RANDOLPH ALEXANDER HUERTAS,

Plaintiff,

v.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

CASE NO. 2:22-cv-01004-JRC

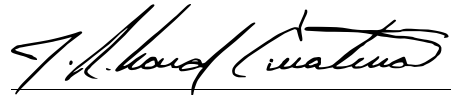
ORDER ON STIPULATED
MOTION FOR EQUAL ACCESS
TO JUSTICE ACT FEES

This Court has jurisdiction pursuant to 28 U.S.C. § 636(c), Fed. R. Civ. P. 73, and Local Magistrate Judge Rule MJR 13. *See* Consent to Proceed Before a United States Magistrate Judge, Dkt. 2. This matter is before the Court on plaintiff's motion for attorney fees under the Equal Access to Justice Act, 28 U.S.C. § 2412 ("EAJA"). *See* Dkt. 18. The motion is stipulated. *Id.*

Based on the EAJA, the stipulation of the parties, the attorney declaration and time and expense itemizations (Dkt. 19), and the relevant record, it is hereby ORDERED that EAJA attorney's fees of \$6,643.76 shall be awarded to plaintiff pursuant to the EAJA and consistent with *Astrue v. Ratliff*, 560 U.S. 586, 588–89 (2010).

1 The Commissioner shall contact the Department of Treasury after the Order for EAJA
2 fees is entered to determine if the EAJA fees are subject to any offset. If it is determined that
3 plaintiff's EAJA fees are not subject to any offset allowed pursuant to the Department of the
4 Treasury's Offset Program, then the check for EAJA fees shall be made payable to Tha Win,
5 based on plaintiff's assignment of these amounts to plaintiff's attorney. *See* Dkt. 19. If there is an
6 offset, the remainder shall be made payable to plaintiff, based on the practice of the Department
7 of the Treasury. *See, e.g.*, Case No. 2:15-cv-122, Dkt. 22, at 4. Any check for EAJA fees shall be
8 mailed to plaintiff's counsel, Tha Win, at 606 Maynard Avenue South, Suite 201, Seattle, WA
9 98104.

10 Dated this 27th day of March, 2023.

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12 J. Richard Creatura
13 United States Magistrate Judge
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